

AMENDED IN SENATE AUGUST 25, 2003

AMENDED IN SENATE JULY 8, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1531

Introduced by Assembly Member Longville

February 21, 2003

~~An act to amend, repeal, and add Sections 316, 1000, 1001, 1201, and 1202 of the Elections Code, relating to statewide primary elections. An act relating to elections.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1531, as amended, Longville. ~~Statewide primary~~ *Special recall election expenses.*

Existing law requires that all expenses authorized and necessarily incurred in the preparation for and conduct of elections be paid from county treasuries unless the expenses are for an election called by the governing board of a city, in which case the expenses are paid by the city or are for an election proclaimed by the Governor to fill a vacancy, in which case the expenses are paid by the state. Under existing law, the requirement that the state pay for the expenses for those elections called by the Governor is repealed as of January 1, 2005.

This bill would require the state to pay expenses incurred by local elections officials in the preparation for and conduct of the October 7, 2003, special recall election to recall Governor Gray Davis.

~~Existing law requires that the statewide direct primary election be held on the first Tuesday in March in each even-numbered year. It requires that, in any year evenly divisible by the number 4, the statewide~~

~~direct primary election be consolidated with the presidential primary held on the first Tuesday in March in those years.~~

~~This bill, until January 1, 2005, would instead require that the statewide direct primary election be held on the first Tuesday after the first Monday in June of each even-numbered year. It would retain the requirement that the presidential primary election be held on the first Tuesday in March in any year evenly divisible by the number 4, but would instead require that the statewide direct primary election not be consolidated with the presidential primary election in those years.~~

~~This bill, by adding to the duties of local elections officials, would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes no.~~

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 316 of the Elections Code is amended~~
- 2 ~~SECTION 1. Notwithstanding Section 13001 of the Elections~~
- 3 ~~Code, all expenses incurred by local elections officials in the~~
- 4 ~~preparation for and conduct of the special recall election~~
- 5 ~~scheduled for October 7, 2003, for the recall of Governor Gray~~
- 6 ~~Davis shall be paid by the state.~~
- 7 ~~to read:~~
- 8 ~~316. (a) "Direct primary" is the primary election held on the~~
- 9 ~~first Tuesday after the first Monday in June in each even-numbered~~
- 10 ~~year, to nominate candidates to be voted for at the ensuing general~~
- 11 ~~election or to elect members of a party central committee.~~

~~(b) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.~~

~~SEC. 2. Section 316 is added to the Elections Code, to read:~~

~~316. (a) "Direct primary" is the primary election held on the first Tuesday in March in each even-numbered year, to nominate candidates to be voted for at the ensuing general election or to elect members of a party central committee.~~

~~(b) This section shall become operative on January 1, 2005.~~

~~SEC. 3. Section 1000 of the Elections Code is amended to read:~~

~~1000. (a) The established election dates in each year are as follows:~~

~~(1) The second Tuesday of April in each even-numbered year.~~

~~(2) The first Tuesday after the first Monday in March of each odd-numbered year.~~

~~(3) The first Tuesday in March in any year that is evenly divisible by the number 4.~~

~~(4) The first Tuesday after the first Monday in June of each year.~~

~~(5) The first Tuesday after the first Monday in November of each year.~~

~~(b) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.~~

~~SEC. 4. Section 1000 is added to the Elections Code, to read:~~

~~1000. (a) The established election dates in each year are as follows:~~

~~(1) The second Tuesday of April in each even-numbered year.~~

~~(2) The first Tuesday after the first Monday in March of each odd-numbered year.~~

~~(3) The first Tuesday in March in each even-numbered year.~~

~~(4) The first Tuesday after the first Monday in June of each odd-numbered year.~~

~~(5) The first Tuesday after the first Monday in November of each year.~~

~~(b) This section shall become operative on January 1, 2005.~~

~~SEC. 5. Section 1001 of the Elections Code is amended to read:~~

~~1001.—(a) Elections held in June and November of each even-numbered year are statewide elections and these dates are statewide election dates.~~

~~(b) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.~~

~~SEC. 6.—Section 1001 is added to the Elections Code, to read:~~

~~1001.—(a) Elections held in March and November of each even-numbered year are statewide elections and these dates are statewide election dates.~~

~~(b) This section shall become operative on January 1, 2005.~~

~~SEC. 7.—Section 1201 of the Elections Code is amended to read:~~

~~1201.—(a) The statewide direct primary shall be held on the first Tuesday after the first Monday in June of each even-numbered year.~~

~~(b) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.~~

~~SEC. 8.—Section 1201 is added to the Elections Code, to read:~~

~~1201.—(a) The statewide direct primary shall be held on the first Tuesday in March of each even-numbered year.~~

~~(b) Notwithstanding subdivision (a), in any year which is evenly divisible by the number four, the statewide direct primary shall be held on the first Tuesday in March and shall be consolidated with the presidential primary held in that year.~~

~~(c) This section shall become operative on January 1, 2005.~~

~~SEC. 9.—Section 1202 of the Elections Code is amended to read:~~

~~1202.—(a) The presidential primary shall be held on the first Tuesday in March in any year evenly divisible by the number four and may not be consolidated with the statewide direct primary held in that year.~~

~~(b) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.~~

~~SEC. 10.—Section 1202 is added to the Elections Code, to read:~~

~~1202.—(a) The presidential primary shall be held on the first Tuesday in March in any year evenly divisible by the number four.~~

~~(b) This section shall become operative on January 1, 2005.~~

1 ~~SEC. 11.—Notwithstanding Section 17610 of the Government~~
2 ~~Code, if the Commission on State Mandates determines that this~~
3 ~~act contains costs mandated by the state, reimbursement to local~~
4 ~~agencies and school districts for those costs shall be made pursuant~~
5 ~~to Part 7 (commencing with Section 17500) of Division 4 of Title~~
6 ~~2 of the Government Code. If the statewide cost of the claim for~~
7 ~~reimbursement does not exceed one million dollars (\$1,000,000),~~
8 ~~reimbursement shall be made from the State Mandates Claims~~
9 ~~Fund.~~

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